

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 2664  
Examiner: Chuong T. Ho

2664  
JH

In re PATENT APPLICATION of:

Applicant : Shinji HAYAKAWA

Serial No. : 09/703,792

Filed : November 2, 2000

For : PACKET RECEIVER WITH THE INFLUENCE  
OF JITTER AND PACKET LOSSES REDUCED  
BEFORE A BUFFER BECOMES IDLE . . . .

Attorney Ref. : KAT 232

)  
)  
)  
) **RESPONSE TO**  
) **NOTICE OF**  
) **NON-COMPLIANT**  
) **AMENDMENT**  
)  
)  
)

Commissioner for Patents  
P.O. O Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Notice of Non-Compliant Amendment dated December 1, 2004, a copy of which is attached. The required fee of \$172 is herewith submitted.

Respectfully submitted,

Robert H. Berdo, Jr.  
Registration No. 38,075  
Customer No. 23995  
(202) 371-8976 (telephone)  
(202) 408-0924 (facsimile)

December 16, 2004  
Date

RHB:pjl

12/17/2004 NNGUYEN1 00000043 180002 09703792

01 FC:1201 228.00 DA 172.00 OP

FEE ENCLOSED: \$172.-  
Please charge any further  
fee to our Deposit Account  
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# UNITED STATES PATENT AND TRADEMARK OFFICE

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DEC 16 2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,792	11/02/2000	Shinji Hayakawa	KAT-232	2171

23995 7590 12/01/2004

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1101 14TH STREET, NW  
SUITE 500  
WASHINGTON, DC 20005

EXAMINER

HO, CHUONG T

ART UNIT PAPER NUMBER

2664

DATE MAILED: 12/01/2004

RECEIVED  
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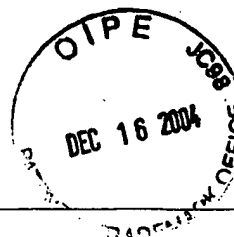
BY: .....

KAT-232  
11/1/05

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE



09/7007 16  
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### Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on \_\_\_\_\_ is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: There is a fee due for \$1720; 2 independent claims in excess of 3. There is no Deposit Account.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/office1ver.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and **this ONE MONTH time limit is not extendable.**

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Terri S. Williams (571) 272-2991  
Legal Instruments Examiner (LIE) Telephone No.